REMARKS

The Applicant thanks the Examiner for the courtesy of a personal interview on December 29, 2004 and a follow-up telephone interview on January 5, 2005.

The Office Action dated July 14, 2004 has been received and carefully noted. The above amendments and the following remarks are submitted as a full and complete response thereto. No new matter has been added. In the outstanding office Action, claims 1-4 and 11 were rejected under 35 U.S.C. § 102(b) and claims 5-10 and 12 were rejected under 35 U.S.C. § 103(a). Accordingly, claims 1-12 are pending in this application and are submitted for reconsideration.

35 U.S.C. § 102(b)

Claims 1-4 and 11 were rejected under 35 U.S.C. § 102(b) as being anticipated by Young et al. (U.S. Patent No. 5,808,608, "Young"). In making this rejection the Office Action asserts that this reference teaches each element of the claimed invention. Applicant disagrees and respectfully submits that claims 1-4 and 11 recite subject matter that is neither disclosed nor suggested in Young.

Applicant's amended claim 1 recites in part:

> reservation setting means capable of setting a first reservation program to reserve repetitive executions of a first reservation setting for a plurality of days; ... remaining capacity detecting means detect the recordable remaining capacity of the record medium; and
>
> calculating means calculate up to what date the recording of the first reservation program is executable on the record medium, based on the recordable remaining capacity and the recording time of one execution of the first reservation setting.

Applicant's amended claim 11 recites in part:

> reservation setting unit capable of setting a first reservation program to reserve repetitive executions of a first reservation setting for a plurality of days, ... remaining capacity detecting circuit detects the recordable remaining capacity of the record medium;
>
> calculating circuit calculates up to what date the recording of the first reservation program is executable on the record medium, based on the recordable remaining capacity and the recording time of one execution of the first reservation setting.

The Office Action asserted that Young discloses the claimed reservation setting means or unit in column 24, line 14-64 and Fig. 25. Column 24, lines 14-64 teach:

> The setup menu also allows the viewer to change the time period from the default period. The default time period is the current time to programs starting in the next 3 hours. The time period is shown by start time block 3030 and end time block 3040. At the end of the time-period, the listing will loop back to the start of the time-period. If there is a Primetime command, actuating this command will cause the time-period to be automatically set to the designated primetime. The viewer can also select a new session, in which all the default selections (including the default time-period) will be reinstated.
>
> The following is a detailed description of each mode:
>
> 1) All selected channel scroll. This is the default mode when a new session is started. The first listing of the background guide is for the program on the current tuner channel. Pressing the page up/down key momentarily will manually advance the listings starting with the listing group for the current time. When all channels with the current start time is displayed, the next group of listings for the next start time will be displayed. Pressing the page key for 3 seconds, or longer, will start automatic scrolling of the guide. The guide will scroll through all channels which have been declared favorites in the foreground grid guide. If the favorite channel menu has not been setup, by default, all channels will be considered favorites. Typically, all channels listed in the opening few pages of the grid guide are favorite channels.

a) Pressing a channel key will cause the listing to jump to the next channel listed in the grid guide. The Up channel key will cause listing to advance to the next higher listed channel, and to the previous listed channel for the Down channel key. Pressing the page key momentarily will cause scrolling to stop. The next page key command will resume manual scrolling of the background guide.

b) Pressing the primetime command will change the time-period to match the primetime period. The latter has a default time of 7PM to 11PM, but may be defined by the user when setting up the foreground guide.

c) The viewer can immediately change tuner channel to one that is displayed in the background guide by pressing the Enter key. The background mode is not exited, and the viewer may continue scrolling the background guide.

d) To exit, press TV or any other mode command.

e) To resume the background mode last selected, press the background guide key. If the session is not over, the guide will continue from the last listing displayed.

As discussed and agreed to in the December 29, 2004 interview, this section of Young discloses different approaches to viewing the channel grid used to select programs to view or record. However, this section of Young fails to disclose the function of "setting a first reservation program to reserve repetitive executions of a first reservation setting for a plurality of days, said first reservation setting extending from a recording start time to a recording end time." Consequently, Young fails to disclose and/or suggest a "reservation means for setting a first reservation program to reserve repetitive executions of a first reservation setting for a plurality of days, said first reservation setting extending from a recording start time to a recording end time." Similarly, Young fails to disclose and/or suggest "reservation setting unit capable of setting a first reservation program to reserve repetitive executions of a first reservation

setting for a plurality of days, said first reservation setting extending from a recording start time to a recording end time."

The Office Action also asserted that the calculating means or calculating circuit is disclosed in Young at column 4, lines 29-36 and lines 52-67, and in Figs. 12 and 13. Young teaches:

> A means automatically supplies recording commands to the video recorder at the desired activation times of the at least two program selections.
>
> The method of this aspect of the invention automatically records cable television programs supplied sequentially at different times on a cable system unattended, even with channel changes between the programs.

Young, col. 4, lines 29-36.

Young also teaches:

> A television schedule system including a user interface in accordance with this aspect of the invention has a display and a means connected to the display for displaying the television schedule on the display as an array of irregular cells which vary dimensionally in length, corresponding to different television program time lengths. A means is connected to the display for providing a cursor with the television schedule on the display. The cursor has a variable length corresponding to the length of a selected one of the irregular cells in which the cursor is located. A means is connected to the means for providing the cursor for moving the cursor in the array in a series of equal length steps. At least some of the irregular cells have a length which is greater than the length of the steps.

Young, col. 4, lines 52-67.

As also discussed and agreed to in the interview on December 29, 2004, both Figs. 12 and 13 illustrate the time remaining on the tape (see reference numeral 88 on Fig. 13) and the length of the program. Thus, Young teaches the function of displaying the time remaining on the tape and the function of displaying the length of the program. However, neither the above sections of Young nor figures 12 and 13 disclose the

function of "calculating up to what date the recording of said first reservation program is executable on said record medium, based on the recordable remaining capacity and the recording time of one execution of said first reservation program." Consequently, Young fails to disclose and/or suggest a "calculating means for calculating up to what date the recording of said first reservation program is executable on said record medium, based on the recordable remaining capacity and the recording time of one execution of said first reservation setting." Similarly, Young fails to disclose and/or suggest a "calculating circuit that calculates up to what date the recording of said first reservation program is executable on said record medium, based on the recordable remaining capacity and the recording time of one execution of said first reservation setting."

As discussed above and in the interview on December 29, 2004, Young fails to disclose and/or suggest the invention recited in claims 1 and 11. Claims 2-4 are dependent upon claim 1. Therefore, Applicant requests reconsideration and withdrawal of the rejection of claims 1-4 and 11 under 35 U.S.C. § 102(b).

35 U.S.C. § 103(a)

Claims 5-10 and 12 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Young in view of Windows NT Screen Capture 1 and 2. In making this rejection, the Office Action asserts that the combination of these two references disclose and/or suggests the claimed invention. The Office Action also asserts that it would be obvious to combine these two references. Applicant disagrees and requests reconsideration of this rejection.

Claims 5-8 depend either directly or indirectly from claim 1. Accordingly, these claims are allowable for at least the reasons discussed above.

Furthermore, claim 5 recites in part:

> the timer reservation device, if said second reservation program is to be executed prior to the first-to-be-executed reservation setting of said first reservation program and requires a recording capacity smaller than or equal to the recordable capacity of said record medium, displays on said display means that the recording to be executed for said second reservation program is recordable on said record medium.

Regarding claim 5, the Office Action admitted that Young fails to disclose that the timer reservation device requires a recording capacity smaller than or equal to the recordable capacity of said record medium, and displays on said display means that the recording to be executed for said second reservation program is recordable on said record medium. Windows NT Screen Capture 1 was cited for curing this deficiency.

Windows NT Screen Capture 1 shows the status of a file copy that is currently being performed. However, Windows NT Screen Capture 1, fails to indicate that all the files may be copied to the desired destination. Thus, the user does not know until the copying process starts whether there is room for all the files. Consequently, Windows

NT Screen Capture 1 fails to disclose and/or suggest requires "the timer reservation device, ..., display[s] on said display means that the recording **to be** executed for said second reservation program is recordable on said record medium."

Further, regarding claim 5, Applicant is unable to find in the combination of Young and Windows NT screen capture 1 where the following condition is tested or checked: "if the second reservation program is to be executed prior to the first-to-be-executed reservation setting of the first reservation program and requires a recording capacity smaller than or equal to the recordable capacity of the record medium, the display means displays that the recording to be executed for the second reservation program is recordable on said record medium."

Consequently the combination of Young and Windows NT fails to disclose and/or suggest the invention recited in claim 5.

Regarding claim 6, the Office Action took the position that Young discloses all the elements of the claimed invention except for teaching displaying on said display means that the recording for said second reservation program is unrecordable on said record medium. Windows NT Screen Capture 2 was cited for disclosing an error message showing the status of unrecordable.

While Windows NT Screen Capture 2 shows an error message, this error message is not displayed when the user selects the files for copying or the destination for the files. This error message is displayed only after the copying process has been started and cannot be completed due to a lack of space. In contrast, the timing reservation device of claim 6 displays that the selected TV program cannot be recorded

before recording the program selected. Thus, the user of the invention recited in claim 6 can be confident that selected programs can be completely recorded.

Additionally, as further recited in claim 6, Applicant is unable to find in the combination of Young and Windows NT screen capture 2 where the following condition is tested or checked: "if said second reservation program is to be executed prior to the first-to-be-executed reservation setting of said first reservation program and requires a recording capacity greater than the recordable capacity of said record medium."

Therefore, the combination of Young and Windows NT fails to disclose and/or suggest "wherein the timer reservation device, if said second reservation program is to be executed prior to the first-to-be-executed reservation setting of said first reservation program and requires a recording capacity greater than the recordable capacity of said record medium, displays on said display means that the recording for said second reservation program is unrecordable on said record medium." Consequently, the combination of these two references fails to disclose and/or suggest the invention recited in claim 6.

Claim 7 recites in part:

> wherein the timer reservation device, if said second reservation program is to be executed prior to the first-to-be-executed reservation setting of said first reservation program and requires a recording capacity greater than the recordable capacity of said record medium, displays on said display means the recording time said record medium falls short of in making the recording for said second reservation program.

In rejecting claim 7, the Office Action asserts that this claim is similar in scope to claim 6. The Office Action, however, failed to consider that claim 7 requires "the timer reservation device, ..., display[s] ... the recording time said record medium falls short of

in making the recording for said second reservation program." Neither Young nor Windows NT display the "recording time said record medium falls short of in making the recording for said second reservation program."

Therefore, the combination of Young and Windows NT fails to disclose and/or suggest "wherein the timer reservation device, if said second reservation program is to be executed prior to the first-to-be-executed reservation setting of said first reservation program and requires a recording capacity greater than the recordable capacity of said record medium, displays on said display means the recording time said record medium falls short of in making the recording for said second reservation program." Consequently, the combination of these two references fails to disclose and/or suggest the invention recited in claim 7.

Claim 8 recites in part:

> the timer reservation device, if said first reservation program contains a reservation setting to be executed prior to said second reservation program and said record medium falls short of the recordable capacity with respect to the recording time of said first reservation program, displays on a display means that said second reservation program is unrecordable, even in the cases where said second reservation program requires a recording capacity smaller than or equal to the recordable capacity of said record medium.

The Office Action asserts that the limitations of claim 8 are similar to claims 6 and 7. Claim 8 , however, has a different condition that must be met prior to displaying the error message. As discussed above for claim 6, while Windows NT Screen Capture 2 shows an error message, this error message is not displayed when the user selects the files for copying or the destination for the files. This error message is displayed only after the copying process has been started and cannot be completed due to a lack of space. In contrast, the timing reservation device of claim 8 displays that the selected

TV program cannot be recorded before recording the program selected. Thus, the user of the invention recited in claim 8 can be confident that selected programs can be completely recorded.

Additionally, as further recited in claim 8, Applicant is unable to find in the combination of Young and Windows NT screen capture 2 where the following condition is tested or checked: "if said first reservation program contains a reservation setting to be executed prior to said second reservation program and said record medium falls short of the recordable capacity with respect to the recording time of said first reservation program, ..., even in the cases where said second reservation program requires a recording capacity smaller than or equal to the recordable capacity of said record medium."

Therefore, the combination of Young and Windows NT fails to disclose and/or suggest "the timer reservation device, if said first reservation program contains a reservation setting to be executed prior to said second reservation program and said record medium falls short of the recordable capacity with respect to the recording time of said first reservation program, displays on a display means that said second reservation program is unrecordable, even in the cases where said second reservation program requires a recording capacity smaller than or equal to the recordable capacity of said record medium." Consequently, the combination of Young and Windows NT fails to disclose and/or suggest the invention recited in claim 8.

Claim 9 recites in part:

> reservation setting means capable of setting a first reservation program to reserve repetitive executions of a first reservation setting for a plurality of days and a second reservation program to reserve an execution of a second reservation setting at a designated date alone, said reservation

> settings each extending from a recording start time to a recording end time; ...
>
> calculating means for calculating up to what date the recording of said first reservation program is executable on said record medium, based on the recordable remaining capacity, the recording time of one execution of said first reservation setting, and, if said second reservation program is to be executed prior to said first reservation program, the recording time of said second reservation setting.

As discussed and agreed to in the December 29, 2004 interview, Young may disclose a reservation program that permits a user to reserve recording for a designated date. Young, however, as discussed above for claim 1, fails to disclose and/or suggest a "reservation means for setting a first reservation program to reserve repetitive executions of a first reservation setting for a plurality of days, said first reservation setting extending from a recording start time to a recording end time." And Young also fails to disclose and/or suggest a "calculating means for calculating up to what date the recording of said first reservation program is executable on said record medium, based on the recordable remaining capacity and the recording time of one execution of said first reservation setting." Consequently, Young fails to disclose and/or suggest the invention recited in claim 9.

Young also fails to disclose and/or suggest claim 10 which depends from claim 9 for at least the above reasons.

Claim 12 recites in part:

> reservation setting unit capable of setting a first reservation program to reserve repetitive executions of a first reservation setting for a plurality of days and a second reservation program to reserve an execution of a second reservation setting at a designated date alone, said first and second reservation settings each extending from a recording start time to a recording end time;...

> calculating circuit that calculates up to what date the recording of said first reservation program is executable on said record medium, based on the recordable remaining capacity, the recording time of one execution of said first reservation setting, and, if said second reservation program is to be executed prior to said first reserved program, the recording time of said second reservation setting.

As discussed and agreed to in the December 29, 2004 interview, Young may disclose a reservation program that permits a user to reserve recording for a designated date. Young, however, as discussed above for claim 1, fails to disclose and/or suggest a "reservation means for setting a first reservation program to reserve repetitive executions of a first reservation setting for a plurality of days, said first reservation setting extending from a recording start time to a recording end time." And Young also fails to disclose and/or suggest a "calculating means for calculating up to what date the recording of said first reservation program is executable on said record medium, based on the recordable remaining capacity and the recording time of one execution of said first reservation setting." Consequently, Young fails to disclose and/or suggest the invention recited in claim 12.

Therefore, as discussed above and as agreed to in the December 29, 2004 interview, Applicant submits that Young and Windows NT Screen Capture 1 and 2, either alone or in combination, fail to disclose and/or suggest the invention recited in claims 5-10 and 12. Consequently, Applicant requests reconsideration and withdrawal of the rejection of claims 5-10 and 12 under 35 U.S.C. § 103(a).

After the December 29, 2004 interview, the Examiner indicated that claims 1-12 could be rejected under 35 U.S.C. § 103(a) as being unpatentable over Kim (U.S. Patent No. 6,157,772) or Fukushima et al. (U.S. Patent No. 6,584,272).

As discussed and agreed to in the January 5, 2005 telephone interview, neither Kim nor Fukushima et al. teaches and/or suggests calculating up to what date the recording of the first reservation program is executable on the record medium, based on the recordable remaining capacity and the recording time at one execution of the first reservation setting.

Consequently, both Kim and Fukushima et al. fail to teach and/or suggest the invention recited in claims 1-12. Therefore, Applicant requests reconsideration and withdrawal of the rejection of claims 1-12 under 35 U.S.C. § 103(a)

Conclusion

Applicant's remarks have overcome the rejections set forth in the Office Action dated July 14, 2004. Specifically, Applicant's remarks have distinguished claims 1-4 and 11 from Young, and thus overcome the rejection of these claims under 35 U.S.C. § 102(b). Applicant's remarks have also distinguished claims 5-10 and 12 from the combination of Young and Windows NT, and thus overcome the rejection of these claims under 35 U.S.C. § 103(a). Applicant's remarks have also distinguished claims 1-12 from Kim and Fukushima and thus overcome the rejection of these claims under 35 U.S.C. § 103(a) raised by the Examiner after the December 29, 2004 interview. Accordingly, claims 1-12 are in condition for allowance. Therefore, Applicant respectfully requests consideration and allowance of claims 1-12.

Applicant submits that the application is now in condition for allowance. If the Examiner believes that the application is not in condition for allowance, Applicant's

respectfully request that the Examiner contact the undersigned attorney by telephone, if it believed that such contact will expedite the prosecution of the application.

In the event this paper is not considered to be timely filed, Applicant respectfully petitions for an appropriate extension of time. The Commissioner is authorized to charge payment for any additional fees which may be required with respect to this paper to Counsel's Deposit Account 01-2300, **referencing docket number 107156-00030.**

Respectfully submitted,

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